

Serial No. 10/656,428

REMARKS

Claims 1-13 were pending in the application. Claims 11 and 12 were withdrawn. Claims 1-10 and 13 were rejected. Applicants respectfully request that this Amendment be entered and the application be considered in view thereof.

Applicants have cancelled previously withdrawn claims 11 and 12. Applicants have cancelled Claims 6 and 13 and incorporated the subject matter of those claims into currently amended Claim 1. Applicants have incorporated the basis weight from Claim 4 into currently amended Claim 1 and deleted same from Claim 4. Applicants have incorporated the fibers of Claim 2 into Claim 1 and cancelled Claim 2. Applicants further have amended Claim 1 to indicate that the fabric comprises both absorbent and synthetic non-absorbent fibers. Support may be found in Claim 4 as well as page 11, line 22 to page 11, line 19 of the application. Applicants have added new Claims 19 and 20. Support may be found in Examples 2 and 5, as well as elsewhere in the application. Applicants respectfully submit that no new matter is introduced via the Amendment.

Applicants have amended Claim 1 such that the claimed article is an adhesive bandage comprising a wound contacting pad, where the pad comprises an absorbent nonwoven fabric containing both absorbent fibers and synthetic non-absorbent fibers, and has a density and basis weight, all as claimed therein. An apertured film is secured to one surface of the nonwoven fabric. Claim 8 has been amended to depend from claim 4, such that the open area of the apertured film secured to the surface of the fabric containing the claimed range of non-absorbent and absorbent fibers ranges from about 5 percent to about 30 percent of the total area of the apertured film.

Claim 1 was rejected under 35 U.S.C. 112, first paragraph for the reasons noted in the Office Action. While Applicants respectfully submit that Claim 1 as it existed prior to entry of this Amendment is patentable under 35 U.S.C. 112, first paragraph, Applicants nevertheless have amended Claim 1 to further prosecution on the merits. Specifically, the nonwoven fabric used to form the wound contacting pad includes both absorbent and non-absorbent fibers selected from those fibers now included in Claim 1. The fabric further has a basis weight of from about 30 to about 150 grams per square meter (gsm) and a density of from about 0.01 to 0.05 g/cc. Applicants respectfully submit that Claim 1 as amended thus is

Serial No. 10/656,428

patentable under U.S.C. 112, first paragraph, and request that the rejection thereof be withdrawn.

Claims 1; 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffo (US 3,523,536) in view of Ryan (US 5,019,062). Applicants respectfully traverse.

Ruffo discloses an absorbent core comprising a heterogenous fibrous material containing a blend of hydrophilic long fibers and noncardable short fibers (Col. 1, ll 54-65). The long fibers are either regenerated cellulose fibers or natural cellulose fibers, each of which is absorbable (Col. 1, ll 71-74). The short noncardable fibers also are natural, absorbent fibers, e.g. wood pulp, paper pulp, etc. (Col. 2, ll 11-26). Accordingly, Applicants respectfully submit that Ruffo fails to disclose or suggest an absorbent fabric that contains both absorbent fibers and synthetic nonabsorbent fibers. In fact, Applicants respectfully submit that Ruffo teaches away from using synthetic nonabsorbent fibers since cellulosic fibers are particularly favored "due to their inexpensiveness, high absorbency and availability characteristics" (Col. 2, ll 22-24). As noted in the Office Action, Ruffo also fails to disclose an apertured film secured to a major surface of the nonwoven fabric.

Ryan discloses a unitary, bicomponent film laminate that includes a first lamina having a pattern of discrete apertures and a second lamina having an odor control means adjacent the first polymeric lamina. The second lamina has a pattern of discrete apertures substantially coinciding with the apertures of the first lamina (Col. 1, line 53-Col. 2, line 11). The first lamina may be polymeric (10), or woven/nonwoven (10') material. When used with an absorbent core, e.g. a diaper or catamenial pad, it appears that the first lamina is disposed away from the core, while the second lamina is disposed in contact with the core. To clarify Figures 2, 4 and 6, Figure 4 shows one embodiment where 10 is a polymeric apertured film (Col. 5, line 10). In Figure 4, apertured film 10 is not secured to a major surface of a nonwoven fabric. Rather, lamina 12 is disposed between the fabric and the apertured film. Figure 2 apparently shows a different embodiment than Figure 4, showing lamina 14' having first fibrous lamina 10' with second lamina 12' associated therewith (Col. 5, ll 55-62). As shown in Figure 6, laminate 14', and thus nonwoven lamina 10' is not an apertured film secured to a nonwoven fabric as claimed by Applicants. As such, Applicants respectfully submit that the first lamina is not secured to a major surface of a nonwoven fabric (Col. 5, ll

Serial No. 10/656,428

8-17). In addition, as with Ruffo, Ryan fails to disclose or suggest a nonwoven fabric comprising both absorbent and synthetic nonabsorbent fibers. Ryan indicates suitable core materials include tissue, such a cellulose wadding and fibrated pulp (Col. 8, ll 10-22). Accordingly, Applicants respectfully submit that the combination of Ruffo and Ryan fails to disclose or suggest an adhesive bandage comprising a wound contacting pad that includes a nonwoven fabric containing both absorbent and synthetic non-absorbent fibers, and which has an apertured film secured to a major surface thereof. Accordingly, Applicants respectfully submit that Claims 1, 5 and 9 are patentable under 35 U.S.C. 103(a) over Ruffo in view of Ryan and respectfully request that the rejection thereof be withdrawn.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffo (US 3,523,536) and Ryan (US 5,019,062) and further in view of Pike (US 6,352,948). Applicants respectfully traverse.

Initially, Applicants reiterate all arguments with respect to Ruffo and Ryan and respectfully submit that claims 3 and 4 are patentable on that basis alone. As described at page 10, ll 9-14 of the application, bicomponent does not mean a blend of different fibers. Rather, bicomponent indicates fibers with a two-component configuration, for example a sheath-core or side-by-side structure. Applicants respectfully submit that neither Ruffo nor Ryan disclose or suggest bicomponent fibers. Applicants further submit that neither Ruffo nor Ryan disclose a combination of absorbent and non-absorbent fibers, at any ratio. Each disclose only the use of absorbent fibers as noted above.

Applicants respectfully submit that Pike fails to cure the deficiencies of Ruffo and Ryan with respect to Claims 3 and 4, in that Pike fails to disclose or suggest a mixture of both absorbent and synthetic non-absorbent fibers in the wound-contacting pad, at any ratio, notwithstanding that Pike discloses multicomponent fibers. Pike discusses multicomponent fibers at Col. 3, lines 38-63, not a blend of different fibers, as suggested in the office action. The ratio noted at Col. 3, ll 56-58 is in regards to content of different polymers in a single, bicomponent fiber, not the ratio of a blend of absorbent and synthetic non-absorbent fibers. Pike defines "blend" as "a mixture of two or more polymers" (Col. 4 l. 9), not a blend of fibers. Pike discloses that the term "composite non-woven web refers to a "mixture of first and second fibers throughout the web", where the polymeric composition of the first and

**Serial No. 10/656,428**

second webs are different. However, Pike fails to disclose or suggest a mixture of absorbent and synthetic non-absorbent fibers, in particular at the ratios as claimed in claim 4, and having the compositional and physical parameters as claimed.

Based on the foregoing, Applicants respectfully submit that the combination of Ruffo, Ryan and Pike fails to render obvious Claims 3 or 4 and respectfully request that the rejection thereof under 35 U.S.C. 103(a) be withdrawn.

Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffo (US 3,523,536) and Ryan (US 5,019,062) and further in view of Hanssen (US 5,589,256). Applicants respectfully traverse. Applicants have cancelled Claims 6 and 13 and incorporated the subject matter thereof into Claim 1. Applicants respectfully submit that Claim 1 is patentable over Ruffo and Ryan and further in view of Hanssen.

As noted above, Applicants submit that the combination of Ruffo and Ryan fails to disclose or suggest an adhesive bandage having a wound-contacting pad as claimed therein. Hanssen discloses high bulk fibers having particulates adhered thereto and which are readily densified. Applicants respectfully submit that Hanssen fails to cure the deficiencies of Ruffo and Ryan in that Hanssen fails to disclose or suggest a wound-contacting pad comprising a mixture of absorbent and non-absorbent fibers and having the compositional and physical parameters as claimed.

Based on the foregoing, Applicants respectfully submit that the combination of Ruffo, Ryan and Hanssen fails to render obvious Claim 1 or any claim depending thereon.

Claims 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffo (US 3,523,536) and Ryan (US 5,019,062) as applied to Claim 9 and further in view of Sheth (US 4,777,073). Applicants respectfully traverse.

Initially, Applicants reiterate all arguments with respect to Ruffo and Ryan and respectfully submit that Claim 10 is patentable on that basis alone. Further, it is respectfully submitted that Sheth fails to cure the deficiencies of Ruffo and Ryan and request that the rejection thereof be withdrawn.

**Serial No. 10/656,428**

Applicants note that while claims 7 and 8 were noted in the Office Action, neither claim was rejected. Applicants have added Claims 19 and 20 indicating that the apertured film comprises protruberances oriented to face into the at least one major surface of the nonwoven fabric to which the apertured film is secured. Applicants respectfully submit that such claims are patentable.

Applicants respectfully submit that the Amendment is a complete response to the Office Action. Applicants respectfully submit that all pending claims are patentable and request a Notice of Allowance to that affect.

Respectfully submitted,

/William K. Wissing/  
William K. Wissing  
Reg. No. 34,757  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(732) 524-6201  
DATED: August 3, 2007